

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)
Southern Union Company, d/b/a)
Missouri Gas Energy, for Approval to Change its)
Infrastructure System Replacement Surcharge)

Case No. GO-2011-0269
Tariff No. JG-2011-0433

ORDER WAIVING NOTICE OF INTENT AND DIRECTING FILING

Issue Date: May 2, 2011

Effective Date: May 2, 2011

The Missouri Public Service Commission is granting the *Request for Waiver* ("motion") and ordering the Office of Public Counsel ("OPC") to file a response to the *Staff's Response to Order* ("recommendation").

Southern Union Company, d/b/a Missouri Gas Energy ("Southern Union") filed the motion with the petition on February 22, 2011. In the motion, Southern Union seeks a waiver of the requirement¹ that any public utility to file a notice of intent before initiating an action that is likely to be a contested case. This action, in the Commission's experience, is not likely to be a contested case, so the Commission will grant the motion.

Staff filed its recommendation as to the petition on April 25, 2011, and supplemented the recommendation on April 26, 2011, so the Commission will set a date for OPC to file a response to the recommendation.

THE COMMISSION ORDERS THAT:

1. The *Request for Waiver* of the notice of intent requirement is granted.
2. The Office of Public Counsel shall file a response to the *Staff's Response to Order* no later than May 5, 2011.

¹ 4 CSR 240-4.020.

3. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. C. Reed', written over a horizontal line.

Steven C. Reed
Secretary

(S E A L)

Daniel Jordan, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of May 2011.